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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,454	02/19/2002	Pierre Nicolas	034299-389.	9872
7590	07/08/2004		EXAMINER	
Robert E Krebs Thelen Reid & Priest LLP P O Box 640640 San Jose, CA 95164-0640			LAO, LUN YI	
			ART UNIT	PAPER NUMBER
			2673	8

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/076,454	NICOLAS, PIERRE
	Examiner	Art Unit
	Lao Y Lun	2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 May 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 10 and 11 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1,3 and 8 is/are rejected.
- 7) Claim(s) 2-7, 9, 12 and 13 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicants' admitted prior art in view of Cathey et al(5,844,370).

Applicants' admitted prior art teach a flat emission screen(1) comprising a first substrate(2) on which are arranged an emission cathode(4) and an electron extraction grid(8); a second substrate(12) facing the first substrate(2), on which is arranged an anode(14 or 15) designed to collect the electrons emitted by the cathode(4), and an electronic control circuit(19) of the anode voltage (see figures 1-2; paragraphs 4 and 13).

Applicants' prior art fail to mount at least one component of the control circuit in between of the first and second substrates.

Cathey et al teach a component(120) in an anode driving circuit sandwiched in between of a first substrate(42) and a second substrate(52)(see figures 1-2, 5; column 4, lines 45-59 and column 5, lines 40-50). It would have been obvious to have

modified Applicants' prior art with the teaching of Cathey et al, so as to ensure more stable connection and minimize space and number of parts in providing the anode driving circuit.

As to claim 3, applicants admitted prior art teach a phosphor material(17)(see figure 1 and paragraph 4).

As to claim 8, applicants admitted prior art teach a low voltage source(24) and an optoelectronic(26)(see figure 2 and paragraph #13).

Allowable Subject Matter

3. Claims 2-7, 9 and 12-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments filed on have been fully considered but they are not persuasive.

Applicant argues that Cathey does not teach the commutation component(18, 20) integrated through design in the first and second substrate. However, applicant admitted prior have disclosed a commutation component(18, 20); first and second substrates(2, 12)(see figures 1-2 and paragraphs #4 and 13) and Cathey et al teach an

electronic component(120) in an anode driving circuit sandwiched in between of a first substrate(42) and a second substrate(52)(see figures 1-2, 5; column 4, lines 45-59 and column 5, lines 40-50). Therefore, the combination of applicant's admitted prior art and Cathey teach the feature of the commutation component(18, 20) integrated through design in the first and second substrate(see paragraph #2 above).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi, Lao whose telephone number is (703) 305-4873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Bipin Shalwala, can be reached at (703) 305-4938.

Any response to this action should be mailed to:

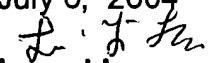
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

July 6, 2004

Lun-yi Lao
Primary Examiner